

I hope Senators see the point. This bill is looking to the Federal Government for these privileges and immunities. This court says I look to my State for those privileges and immunities. That is where the bill is fallacious in the first instance—

which belong of right to the citizens of all free governments, and which have at all times been enjoyed by citizens of the several States which compose this Union, from the time of their becoming free, independent, and sovereign. What these fundamental principles are, it would be more tedious than difficult to enumerate. They may all, however, be comprehended under the following general heads: Protection by the Government—

I look to the State for protection by government—

with the right to acquire and possess property of every kind—

I look to the State for that right—

and to pursue and obtain happiness and safety, subject, nevertheless, to such restraints as the Government may prescribe for the general good of the whole.

This definition of the privileges and immunities of citizens of the States is adopted in the main by this Court in the recent case of *Ward against the State of Maryland*, while it declines to undertake an authoritative definition beyond what was necessary to that decision. The description, when taken to include others not named but which are of the same general character, embraces nearly every civil right for the establishment and protection of which organized government is instituted. They are, in the language of Judge Washington, those rights which are fundamental. Throughout his opinion they are spoken of as rights belonging to the individual as a citizen of a State. They are so spoken of in the constitutional provision which he was construing. And they have always been held to be the class of rights which the State governments were created to establish and secure.

In the case of *Paul against Virginia* the Court, in expounding this clause of the Constitution, says that "the privileges and immunities secured to citizens of each State in the several States by the provision in question are those privileges and immunities which are common to the citizens in the latter States under their constitutions and laws by virtue of their being citizens."

The constitutional provision there alluded to did not create those rights, which it called privileges and immunities of citizens of the States. It threw around them in that clause no security for the citizen of the State in which they were claimed or exercised. Nor did it profess to control the power of the State governments over the rights of its own citizens.

And yet that is exactly what this act tries to do.

Its sole purpose was to declare to the several States, that whatever those rights, as you grant or establish them to your own citizens, or as you limit or qualify, or impose restrictions on their exercise, the same, neither more nor less, shall be the measure of the rights of citizens of other States within your jurisdiction.

It would be the vainest show of learning to attempt to prove by citations of authority, that up to the adoption of the recent amendments—

That is, the thirteenth, fourteenth, and fifteenth amendments—

no claim or pretense was set up that those rights depended on the Federal Government for their existence or protection, beyond the very few express limitations which the Federal Constitution imposed upon the States—such, for instance, as the prohibition against *ex post facto* laws, bills of attainder, and laws impairing the obligation of contracts. But with the exception of these and a few other restrictions, the entire domain of the privileges and immunities of citizens of the States, as above defined, lay within the constitutional and legislative power of the States, and without that of the Federal Government.

Mr. KING. Mr. President, why does not the Senator suspend now? It is almost 5 o'clock.

Mr. BAILEY. I shall be glad to stop if the leader wishes me to stop, but I have an obligation to proceed.

Mr. BARKLEY. I think we should proceed until 5 o'clock.

Mr. BAILEY. I shall be delighted to stop now or go on until 5 o'clock.

Mr. BARKLEY. It is 5 minutes of 5. The Senator may proceed until 5 o'clock.

Mr. BAILEY. Very well; I shall read on for 5 minutes.

Was it the purpose of the fourteenth amendment, by the simple declaration that no State should make or enforce any law which shall abridge the privileges and immunities of citizens of the United States, to transfer the security and protection of all the civil rights which we have mentioned, from the States to the Federal Government? And where it is declared that Congress shall have the power to enforce that article, was it intended to bring within the power of Congress the entire domain of civil rights heretofore belonging exclusively to the States?

Of course the Court, right there under the shadow of the civil law, right there when passions were heated, right there when the Federal Government had assumed—and I shall not complain of it—a certain sense of guardianship for the newly freed slaves, when in a peculiar sense it felt they were its wards—when there was a terrible situation existing, nevertheless in the sacred silent precincts of the Supreme Court of the United States, out of the field of politics, far removed from anything like trying to cater to a class or to get any votes—I am not saying anybody would do that and I would not say it—the Supreme Court very calmly raised the question as if there could be but one answer—

Where it is declared that Congress shall have the power to enforce that article—

And in this very legislation they are depending upon that power to enact appropriate legislation to uphold it—

and where it is intended that Congress shall have the power to enforce that article, was it intended to bring within the power of Congress the entire domain of civil rights heretofore belonging exclusively to the States?

All this and more must follow, if the proposition of the plaintiffs in error be sound. For not only are these rights subject to the control of Congress whenever in its discretion any of them are supposed to be abridged by State legislation, but that body may also pass laws in advance, limiting and restricting the exercise of legislative power by the States, in their most ordinary and usual function, as in its judgment it may think proper on all subjects. And still further, such a construction followed by the reversal of the judgments of the Supreme Court of Louisiana in these cases, would constitute this court a perpetual censor upon all legislation of the States, on the civil rights of their own citizens, with authority to nullify such as it did not approve as consistent with those rights, as they existed at the time of the adoption of this amendment.

If the theory of this legislation is true, then we do refer the civil rights of the citizens of the States first to the Congress and then to the courts; and what would become of the sovereignty and the authority of the State, and what would become of my status as a citizen of the Commonwealth of North Carolina? I do not want to lose either, my friends; but, if I must lose one or the other, I will preserve the citizenship of the Commonwealth of North Carolina.

RECESS

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER (Mr. MINTON in the chair). Does the Senator from North Carolina yield to the Senator from Kentucky?

Mr. BAILEY. I do.

Mr. BARKLEY. Is the Senator from North Carolina ready to suspend at this time?

Mr. BAILEY. I am.

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 2 minutes p. m.) the Senate took a recess until tomorrow, Thursday, November 18, 1937, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

WEDNESDAY, NOVEMBER 17, 1937

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

God be merciful unto us and bless us and cause His face to shine upon us that Thy way may be known upon earth, Thy saving health among all nations. Let the people praise Thee, O God; let all the people praise. O let the nations be glad and sing for joy, for Thou shalt judge the people righteously and govern the nations upon earth. Let the people praise Thee; let all the people praise Thee. Then shall the earth yield her increase; and God, even our own God, shall bless us. God shall bless us, and all the ends of the earth shall fear Him. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Frazier, its legislative clerk, announced that the Senate had passed the following resolution:

Senate Resolution 196

NOVEMBER 16, 1937.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ROBERT P. HILL, late a Representative from the State of Oklahoma.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative, the Senate do now take a recess until 12 o'clock meridian tomorrow.

EXTENSION OF REMARKS

Mr. SNYDER of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

NEUTRALITY

Mr. SAUTHOFF. Mr. Speaker, I send a resolution to the desk and ask for its immediate consideration.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

Whereas the Congress of the United States passed, and the President signed, a so-called Neutrality Act on May 1, 1937, which is now the statutory law of the United States of America; and

Whereas warfare is being conducted at the present time between China and Japan as evidenced by the fact that there is a meeting of representatives of various nations of the world, including our own, now in session at Brussels, Belgium, to devise ways and means to put an end to said conflict; and

Whereas the President of the United States on Armistice Day, 1935, declared:

"We are acting to simplify definitions and facts by calling war 'war' when armed invasion and a resulting killing of human beings takes place"; Therefore be it

Resolved, That it is the express wish of the House of Representatives that the President of the United States shall forthwith proclaim that a state of war exists between China and Japan, and that he shall forthwith invoke the provisions of the so-called Neutrality Act herein referred to.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. SAUTHOFF]?

Mr. McREYNOLDS. Mr. Speaker, I object.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, I also ask unanimous consent to extend my own remarks and include an address delivered by Robert H. Jackson, Assistant Attorney General of the United States, before the Trade and Commerce Bar Association and Trade Association Executives in New York City on September 17, 1937, on the subject Should the Antitrust Laws Be Revised?

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

MEETING OF COMMITTEE ON RIVERS AND HARBORS

Mr. PARSONS. Mr. Speaker, I ask unanimous consent that the Committee on Rivers and Harbors may be permitted to sit during the sessions of the House during the life of the extraordinary session of the Congress.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. O'CONNOR of New York. Mr. Speaker, reserving the right to object, that is a long time. Heretofore a few days has been sufficient. I wish the gentleman from Illinois would lessen it, and renew it, if necessary, at times.

Mr. SNELL. Reserving the right to object, Mr. Speaker, I did not understand how long the gentleman asked that permission.

The SPEAKER. The gentleman from Illinois [Mr. PARSONS] asks unanimous consent that the Committee on Rivers and Harbors be permitted to sit during the sessions of the House during the extraordinary session of the Congress now in session.

Mr. RICH. Reserving the right to object, Mr. Speaker, I will say that if we do not do anything more than we have done now since we have met to try to get the President's program through, we will be sitting here until doomsday. [Laughter.]

Mr. PARSONS. Mr. Speaker, if I may change that request, I will ask unanimous consent that the Committee on Rivers and Harbors may be permitted to sit during the sessions of the House for 1 week.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

WAGE AND HOUR LEGISLATION

Mr. TABER. Mr. Speaker, I ask unanimous consent to proceed for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, we have been called in special session of the Congress to consider a number of bills. Some of those bills are of transcendent importance. Most of them follow the line of legislation and the type of legislation that has been followed by the Roosevelt administration since 1933. Perhaps the most outstanding of those bills is the so-called wage and hour bill. It seems to me there might be, just as soon as we can have it, some discussion and some understanding on the part of the membership of this House and of the people as to what that bill will do. I want to go down the line with it and call attention to some of the things that I can see that bill will do.

Throughout all history it has been the custom of small manufacturers and small businessmen to carry on their employment rolls some of the older people, some of those who perhaps are not as alert mentally as some of the others, and some of those who perhaps are under physical handicaps. Those smaller employers have, of course, been obliged to provide in their employment of those people wage differentials. They have not paid the same wages that were paid to those who were fully alert physically and mentally and able to do the greatest amount of work in a day. As a result, those people have been largely self-supporting. Now, what will happen? If such a bill as this is passed and a wage board is created with authority to establish wages and hours that those people are to receive and to work, a large corporation employing thousands and thousands of people will be able to come to Washington and appear before such a wage board and have an opportunity to be heard. But those larger employers have been obliged, as a result of statutes that have been enacted in most of the States, to discontinue employing the type of people to whom I have referred. Those big corporations will be able to appear before wage boards, but the small business corporations, the small manufacturing corporations and mercantile establishments cannot do this.

Mr. RAMSPECK. Mr. Speaker, will the gentleman yield?

Mr. TABER. I cannot at this time. I only have a short time, and I must get into this situation before I finish.

Mr. RAMSPECK. I just wanted to call the gentleman's attention to something in the bill which he may have overlooked.

Mr. TABER. Oh, I may have overlooked a lot. I cannot help it. I will be glad to have the gentleman call attention to that later on. But I am certain that this situation does apply.

The small mercantile establishment cannot be represented. Lots of them, especially the smaller establishments, have been accustomed to hiring people for occasional employment on week ends. The result of this bill will be to throw out of employment all of those people whom I have described. The effect will be to throw them bodily on to the relief roll

forever and to make them a charge upon the earnings of the most fit. Is this the way to do business? Frankly, I do not see it. I do not believe that you can do business this way and not create more distress than you can possibly relieve by such an operation.

There is another feature of this bill to which I wish to call attention. If you establish minimum wages and maximum hours through a board in Washington, it will not be very long before you fix all wages and all hours through a board in Washington; it is a step in that direction which inevitably will have tremendous pressure to be followed. If we get to that point—and I am sure we will—we shall get to the point where private operation of industry and private employment of individuals will stop. What will be the result? It can lead to just one thing, this kind of operation; it means an overlordship, a dictatorship, a totalitarian state, a situation where the wages and hours of everyone and the requirement that they shall work or shall not work will be fixed from the top.

Mr. SIROVICH. Mr. Speaker, will my distinguished friend yield?

Mr. TABER. I cannot yield at the moment, Mr. Speaker.

Mr. Speaker, under this kind of set-up, there can be no such thing as a labor union. This bill leads to the absolute destruction of labor unions, to the absolute destruction of the right of the employee to bargain for his services or to have labor unions or anything of that kind represent him in bargaining for his services. The late Samuel Gompers, who for a generation was the most prominent labor leader in America, always warned labor against such a thing as State or Federal regulation of hours and wages. He warned them that for their preservation, for the preservation of their rights, they must see to it that they had an independent right to bargain for their services, that they had an independent right to see that they were given fair treatment by their employers, and that hours and wages of workmen should not be regulated by law.

Mr. O'CONNOR of New York. Mr. Speaker, will the gentleman yield?

Mr. TABER. Not at this time.

Is it not time for those who are considering supporting this kind of legislation to take account of where they are at and where they are leading this country, where they are leading the rank and file of the people of this country?

We have been more or less careless of the things that we have done in the last 4 years. We have created doubt and uncertainty in the minds of the people of the United States. Let me say to you that today the man who works is worse off than he was in 1933, whereas the fellow who never did work but who has always been more or less on relief has prospered greatly. The honest man back home who wanted to work and always did work for a living is worse off as a result of these programs of regimentation, this fixing of things from the top, the N. R. A., the A. A. A., and this proposed wage and hour bill, than he ever was before. No consideration for this man has been manifested. The consideration has been for those who did not work.

Is it not time that we took stock of these situations? Is it not time that we considered where America is going and where these things lead us? I appreciate that there is today a large misconception on the part of many of our people as to what the results of these things will be. There is false propaganda that these things will benefit the workingman. There is false propaganda that these things are in the interests of labor whereas their real effect will be just the opposite. These are some of the things that have created doubt and uncertainty in the minds of the American people and have destroyed the build-up toward prosperity that was coming along last spring. Is it not time that we set our faces in the direction of prosperity, that we work for the workingman, create a market for the farmer as a result of that operation, and create for the businessman who works and does his best to provide employment for the people an honest opportunity to make a reasonable and fair profit?

Now, I ask that this Congress and that this House keep some of these things in mind as they approach this problem of what I regard to be one of the most dangerous measures that has ever been presented to the Congress of the United States. [Applause.]

[Here the gavel fell.]

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, I am not particularly an advocate of the wage and hour bill. I have always felt that the proper method of settling disputes between employers and employees was around a conference table between the employers and the representatives of the employees. This bill which the gentleman from New York has been discussing, however, is not designed primarily to benefit organized labor; it is designed to benefit labor which has not been able to organize. It is well known that a great many employers in this country, despite the upholding of the Wagner Labor Relations Act by the Supreme Court, have refused to make any effort to make that act effective. They are, as a matter of fact, opposing organization by their employees.

Mr. Speaker, I rose in particular to discuss two things the gentleman from New York said which are not correct and which show a lack of familiarity on his part with the bill which is pending in the Rules Committee.

The bill specifically requires the board to guard against orders which might throw persons out of employment. It gives the board ample authority to meet unusual conditions in any particular case.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I cannot yield now.

Mr. Speaker, the bill provides that the board shall make no order without a hearing and that the hearing must be held as near as possible to the principal place of business of the employer.

It will not be necessary, therefore, for employees to come to Washington, or employers either, in order to present their problems with reference to this bill.

The bill provides a minimum wage above which the board cannot go, which is 40 cents an hour. It also provides a maximum week beyond which the board cannot go; namely, 40 hours. The highest wage that the board may fix under any consideration is \$16 per week.

There are very specific directions to the board as to how it shall arrive at this wage. The board is mandatorily required to consider the cost of living, local economic conditions, any fact which would be relevant in a court in a suit for services rendered without contract, collective-bargaining agreements made in the same community for similar work, and the unit cost of production.

In addition to that, before the board can even have a hearing it must appoint an advisory committee composed of employers, employees, and representatives of the public and that committee must make a report to the board. Then it must hold a public hearing, it must keep a record of the hearings, and reach a decision on the basis of the facts presented. This decision may be reviewed by the courts.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from New York.

Mr. O'CONNOR of New York. Is that not substantially the plan under the law in New York, the same State from which the gentleman who just spoke comes?

Mr. RAMSPECK. I understand that is true, although I have never read the New York law. However, that was so stated to the committee in its hearings.

Mr. O'CONNOR of New York. The plan under the New York law provides for an advisory committee, hearings, and so forth, as the gentleman stated.

Mr. RAMSPECK. May I say in conclusion there have been a number of drafts of this bill. There have been more

misrepresentations as to what is contained in the pending bill than any piece of legislation I have had anything to do with in all the years I have been a Member of Congress.

Mr. SNELL. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from New York.

Mr. SNELL. According to newspaper reports, the bill is going to be recalled and taken back to the committee to be rewritten. If that is so, how does anyone know what will be contained in the bill when it is finally presented on the floor of this House for consideration?

Mr. RAMSPECK. The Committee on Labor held a meeting this morning, and it instructed the chairman to announce to the public that the committee will not recall the bill. [Applause.]

The SPEAKER. The Chair desires to announce that he will recognize Members at this juncture who desire to ask unanimous consent to extend their own remarks in the RECORD.

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of the undistributed profits tax.

The SPEAKER. Is there objection?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain names of un-American activities in Los Angeles.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DALY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a communication from Secretary of State Hull.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. COCHRAN asked and was given permission to extend his own remarks in the RECORD.

Mr. O'MALLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address by myself, as well as a copy of a House bill.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. O'CONNELL of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a very brief clipping from a Montana newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. The Chair announced he would only recognize Members at this point to extend their own remarks in the RECORD.

Mrs. ROGERS of Massachusetts. Will the Chair recognize me later?

EXTENSION OF REMARKS

Mr. SHANNON. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech I made in Kansas City before the Letter Carriers' National Convention.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I want to make a request for time.

The SPEAKER. The Chair did not understand the gentleman.

Mr. RICH. Mr. Speaker, I desire to submit a request for time whenever the Chair will grant that permission.

EXTENSION OF REMARKS

Mr. STEFAN asked and was given permission to extend his own remarks in the RECORD.

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio speech delivered by my colleague the gentleman from Kansas [Mr. LAMBERTSON].

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes.

The SPEAKER. Are there any further unanimous-consent requests?

EXTENSION OF REMARKS

Mr. LEWIS of Colorado. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address of the President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address recently delivered.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent that on tomorrow, after the disposition of business on the Speaker's table and at the conclusion of the legislative program for the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SNELL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. GIFFORD] may have 20 minutes in which to address the House.

Mr. RAYBURN. When?

Mr. SNELL. Right now, as soon as it is proper.

The SPEAKER. The Chair is for the present recognizing the gentleman from New York [Mr. FISH] to submit a unanimous-consent request.

Mr. SNELL. Very well; I did not know that.

Mr. FISH. Mr. Speaker, I renew my request for permission to address the House for 20 minutes.

The SPEAKER. The gentleman from New York [Mr. FISH] asks unanimous consent to address the House for 20 minutes. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, I would like to yield, if I may, to the gentleman from Massachusetts [Mr. GIFFORD] to address the House at the present time. The gentleman wants to take precedence over me, for reasons of his own.

The SPEAKER. The Chair is loath to follow that procedure. The gentleman from New York [Mr. FISH] has been recognized for 20 minutes.

Mr. RAYBURN rose.

Mr. FISH. I yield to the gentleman.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that immediately following the gentleman from New York [Mr. FISH], the gentleman from Tennessee [Mr. McREYNOLDS] may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. RICH. Mr. Speaker, reserving the right to object, I made the statement to the Chair that I wanted to make a request for time, and the Chair stated the Chair would only entertain requests for extension of remarks in the RECORD. I did not want to submit my request until after such requests were granted.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, I understood the Speaker would recognize me to make a request for permission to address the House after the other unanimous-consent requests had been concluded.

The SPEAKER. The Chair will recognize the gentleman from Massachusetts as soon as possible, and also the gentleman from Pennsylvania [Mr. RICH].

Is there objection to the request of the gentleman from Texas that the gentleman from Tennessee [Mr. McREYNOLDS] may address the House for 20 minutes at the conclusion of the remarks of the gentleman from New York [Mr. FISH]?

There was no objection.

Mr. FISH. Mr. Speaker, before discussing our foreign relations I would like to make certain observations concerning the President's message to Congress and the business depression with which we are confronted. The President's message reads like an alibi trying to place the blame for this Roosevelt depression upon industry and private business.

The Democratic Party in 1932 came into power because there was a business depression, a depression brought about by overspeculation, due to the fact that for years the American people had been employed at high wages, with which they speculated and gambled in all kinds of securities, including domestic and foreign bonds. During this time Franklin Roosevelt, now President of the United States, was head of a bond company which was selling German bonds to the American people. That depression was brought about by a surplus or overabundance of prosperity and because our people were wasteful and extravagant, because they gambled and speculated, yet not a single Democrat in 1929 cried, "Halt!" On the contrary, Prof. Irving Fisher, of Yale University, the spokesman of the Democratic Party at that time on fiscal and financial matters, stated we had reached a new era of high prices which would continue indefinitely.

At that time we had a Republican President, who made certain sound recommendations to the Democratic Congress, which threw those recommendations out of the window and sabotaged them. The Democratic Congress at that time destroyed every attempt to restore business confidence in this country. Naturally the Democratic Party came into power. It rode into power on the depression. No one blames the American people for changing horses in the midst of bad times. However, you have been in power for 5 years, yet the President states that one-third of our people are ill-nourished, ill-clad, and ill-housed, which in itself is an indictment of the unsound and costly New Deal policies.

Only a year ago President Roosevelt in a message, I believe to Congress, stated in regard to the business recovery that:

It was not the result of pure chance, the mere turn of the wheel in a cycle. We planned it that way. Don't let anybody tell you differently.

Now the President states it is not the Government which is to blame, but business.

Mr. MEAD. Mr. Speaker, will the gentleman yield?

Mr. FISH. No; I will not yield, because I have a limited time.

We are now confronted with a depression; we are actually in a serious depression. Twenty-five billions of dollars worth or value of securities on the stock exchange were wiped out in the last 2 months. Another \$25,000,000,000 has been wiped out in the value of unlisted securities, in real estate, mortgages, and so on. This does not mean simply that the rich man has lost half of his fortune or half of his security values or that the middle class have lost half of their security values. It means the beginning of a vicious circle. It means that the rich man will stop his activities, that he will curtail his expenditures, and stop putting money into business ventures. It means that the man of moderate means will cease buying automobiles.

The man who is really hit hardest, the one who suffers most, is the wage earner. He loses his job in the steel mills, which today are operating at only 39 percent of production

capacity. He loses his job or is put on part time or his pay is reduced. The wage earner is the main sufferer. It is not those in the higher brackets of income taxes but the wage earners whose very livelihood and that of their families that are endangered.

This is a Roosevelt depression. The last depression was brought about by overspeculation, but not so this depression. This has been brought about by unsound and uneconomic laws, and by radical and socialistic laws which have been rushed through Congress that have destroyed business confidence.

There is nothing wrong with this country of ours. It is still the best country in the world in which to live. The only single thing that is wrong is that confidence has been deliberately destroyed by the New Deal administration, which has brought on this depression just as chickens come home to roost. [Applause.] The administration is reaping the whirlwind of unsound economics, of unsound laws, of collectivism, and of socialism. I pray to God that we are on the retreat today from Moscow and collectivism. [Applause.] The frightened New Dealers are beginning to realize that confidence and employment by business enterprise is one and inseparable.

We are in the midst of a government of confusion, bewilderment, and reprisal, without any sound or practical policy, with no financial policy whatever except to borrow more money, billions upon billions, and to pile debt upon debt and deficit upon deficit, until we have a national debt of \$37,000,000,000. No wonder there is no confidence in the land. No wonder business has halted and every day production is decreasing in a country that is ready to go over the top and employ labor, which is the single biggest issue in America today. The blame is upon the President and the Democratic Congress for this depression and for the unemployment of American labor. The time has come to call a spade a spade and place the blame squarely on President Roosevelt and the New Dealers for the present Government-made depression.

Great events have transpired since the Congress adjourned last August. The depression has overwhelmed us in 2 months' time. A war of great magnitude is being waged in China. President Roosevelt made a speech in Chicago recently, in which he stated he believed in concerted action, that he proposed to quarantine certain nations, and that the American people were on the brink of war and could not keep out. I denounce that statement as sheer hysteria, unnecessarily alarming the American people, as he stated, our people at the firesides are in fear and dread of war. There should be no fear of war in America, unless war is forced on us by the President and the internationalists with whom he is surrounded. The American people are not for concerted action, for sanctions, or for war commitments of any kind. It is well to remember that ancient slogan emanating from London, that the "British Empire expects every American to do her duty." Our slogan should be: Millions for defense but not one single dollar to join in European or Asiatic wars.

If the old nations of the world insist on arming to the teeth and going to war, it is their war and not ours; and, speaking as a member of the Foreign Affairs Committee, I do not believe there is a single member of that committee, Democrat or Republican, who would vote one single dollar to send an American soldier to foreign lands to fight other people's battles. [Applause.] The American people have already decided they do not propose to join the League of Nations, yet we have as President a man who ran for Vice President in 1920 on a League of Nations platform. We have as Secretary of State a most estimable gentleman who was for the League of Nations for many, many years. We have representing us at Brussels Mr. Norman Davis, our wandering ambassador at large, who has been for the League of Nations from the very beginning. This triumvirate in control of our foreign relations are inoculated with the virus of internationalism. These gentlemen do not represent the will of the American people, who do not propose to become

involved in any foreign intrigues or entanglements, ancient blood feuds, or boundary disputes.

Now, let us analyze, or, as Al Smith says, let us look at the record with respect to the action of Congress in regard to the neutrality bill and the war that is being waged in China today. First, this is an Asiatic problem, affecting China, Japan, Soviet Russia, and, to a large extent, Great Britain, which has a billion dollars invested in China. We only do \$50,000,000 worth of business with China and only \$200,000,000 worth of business with Japan, but even if the figures were reversed it would make no difference so far as the fundamental policy of the United States is concerned.

Mr. Speaker, in the last Congress we adopted a neutrality bill. There were 3 or 4 days of debate on the floor of this House following consideration in the Foreign Affairs Committee, and when the matter finally came to a vote in the House of Representatives only 12 Members voted against it. I voted for the bill, not because I thought it was such a good bill, as I often stated upon the floor of the House, but because it was the best bill before us and because the purpose was a proper one—to preserve peace, to keep the United States out of war, to take the profits out of war, and to stop the sale of arms, ammunition, and munitions of war to belligerent nations.

The measure stated specifically that when a state of war existed, the President "shall"—not may, but shall—declare the neutrality bill to be in effect. There can be no quibbling about this. We did not use the words "declaration of war," because nations no longer declare war. They recognize the fact that the Kellogg-Briand Pact outlaws war except in defense and therefore they go to war without any declaration of war. We knew this when we wrote the bill. We had before us the experience in Ethiopia, where that country was swallowed up without any declaration of war. Therefore we put in the specific phrase—

Whenever the President shall find that there exists a state of war between or among two or more foreign states, the President shall proclaim such fact and it shall be unlawful to export or attempt to export or cause to be exported arms, ammunitions, or implements of war from any place in the United States, etc.

If the President does not know a state of war exists in China today, or if the Secretary of State does not know this, then the administration had better get a new Secretary of State, because there is no one in this country who does not know that a state of war exists in China at the present time. It is the greatest war that has existed in our day or generation except the World War. Almost 1,000,000 soldiers in the Chinese Army have been killed and wounded in less than 6 months.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield for a question?

Mr. FISH. I yield for a brief question.

Mr. SIROVICH. What would the gentleman do if he were Secretary of State at the present time?

Mr. FISH. I will tell the gentleman what I would do—I would carry out the law of the land. [Applause.]

Mr. SIROVICH. What would the gentleman do?

Mr. FISH. I would put into effect the neutrality law as written by Congress, but it is not the Secretary of State, it is the President who is responsible for the nullification of the law. If the gentleman wants me to, I will answer him more in detail.

Mr. SIROVICH. Yes.

Mr. FISH. We passed the neutrality law and no matter whether it is good, bad, or indifferent it is the law of the country. The President signed it and it is his duty, knowing that a state of war exists in China today to put that law into effect and carry it out.

We live in a government of propaganda and the State Department and the President and all their propagandists have tried to reach the people back home and make out that this bill favors Japan. It does not, and I will explain in just a moment why it does not.

I believe 90 or 99 percent of the American people are in sympathy with China and against the invasion by Japan and the murdering of innocent women and children by airplane

bombs. We do not mind making our views known and, probably, the Government was correct in criticizing Japan the other day through the Brussels Conference.

That does not change the situation. We wrote that neutrality bill for this very kind of a war, so that we will not be dragged into it, so that we will not ship arms and munitions of war to belligerent nations. With the law not being invoked, Japan has the advantage. Japan can buy anything she wants from America—arms, ammunition, and implements of war and China cannot, because Japan controls the seas. Yet this administration, through its propaganda, has given out that if it puts the law into effect, it would be in favor of Japan as against China. That is contrary to the fact, but it does not change the issue that I am discussing here as a Representative in Congress, without regard to partisanship whatever.

There is a fundamental principle at stake which is that we wrote a neutrality law in the Congress, and it was signed by the President and is the law of the land, and that it said exactly what we meant. The administration recognized that a war exists in China in the wording of the declaration signed by our Government at Brussels yesterday. That declaration said:

The war had brought to all peoples of all nations a sense of horror and indignation, to all the world a feeling of uncertainty and apprehension.

In spite of this declaration the President has not enforced the neutrality law or carried out its provisions, and I say to my good friend from New York, Mr. SIROVICH, knowing his political views, that this is a step toward fascism; that it is fascism. If the President of the United States can pick out any law he wants to and enforce it or not enforce it, when he has a specific, constitutional duty to carry out and execute this law like any other law, then we are in the midst of fascism. In which case the Congress of the United States means nothing at all and this legislative body may as well throw up its hands, because if the President can do this in this instance, he can do it as well with domestic or internal laws. And that is precisely the way that fascism began. The first step of fascism is to wipe out the parliamentary system, to wipe out the legislative government. The way to do that is to ignore and repudiate the laws of Congress, and I submit that that is exactly what the President has done in nullifying the will of Congress and the American people in enacting the neutrality bill.

Mr. KELLER. Mr. Speaker, will the gentleman yield?

Mr. FISH. Not now. Oh, the President can use a technicality and say that a declaration of war has not been made, and that China has not withdrawn her Ambassador. That has nothing to do with the situation, not with the law that we wrote, because we wrote it to anticipate that very issue. I can quote many statements of the President, for instance, in which he defines war and his recent definition 2 years ago in respect to the Abyssinian war, a much smaller conflict than the war in China today. Let me quote to you first a Supreme Court decision defining war:

Every contention by force between two nations in external matters under the authority of their respective governments is not only war but public war.

President Roosevelt in his Armistice Day speech in 1935 had this to say about the Ethiopian conflict:

We are acting to simplify definitions and facts by calling war "war" when armed invasion and a resulting killing of human beings takes place.

That is a statement with which I do not believe a thinking man or woman in America, regardless of politics or political affiliations, will disagree. Further, the President on October 5, 1935, in applying the neutrality law to the Italian-Ethiopian conflict in which there had been no declaration of war, stated:

We are now compelled to recognize the simple and indisputable fact that Ethiopian and Italian forces are engaged in combat, thus creating a state of war within the intent and meaning of the joint resolution.

I do not believe there is a man or woman in America who does not know that war has existed for weeks and months in

China. If that is the case, there is only one thing for the President to do, and that is to carry out the mandate of Congress, the mandate of the American people through their representatives, enacted with only 12 votes against it in the House, and I submit that if he is not doing that he is not performing his constitutional duty to the Congress and to the American people. [Applause.]

The SPEAKER. Under the previous order of the House, the gentleman from Tennessee [Mr. McREYNOLDS] is recognized for 20 minutes.

Mr. McREYNOLDS. Mr. Speaker, I have listened very attentively to the remarks of the gentleman from New York [Mr. FISH], in which the gentleman claims that the President has not carried out the law that we placed on the statute books at the last session of the Congress with reference to neutrality.

I want to make this statement:

First, the President has acted within his legal authority, and I will be able to demonstrate it.

Second, the purpose of the neutrality bill was to keep us out of war and to prevent wars as much as possible, and the policy the State Department has pursued has been the wisest policy that could have been pursued.

Now, what is the statute? The gentleman from New York [Mr. FISH] does not quote it correctly. I have written it down so that I could quote it. It is admitted that the so-called Neutrality Act of May 1, 1937, is fundamentally and essentially intended to keep this country out of war. That is the spirit of the act, which leaves wide discretion to the President. He is not required to issue an arms embargo or proclamation under section 1 until he makes a finding that a state of war exists. He is not compelled to make such finding on the basis of any specific facts or circumstances, or such as you may judge from the press reports. The language of the act is this:

Whenever the President shall find there exists a state of war between or among two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, ammunition—

And so forth. This language differs from that contained in the act of August 31, 1935, which provides that upon the outbreak or during the progress of war between or among two or more foreign states, the President shall proclaim such fact, and it shall thereafter be unlawful to export arms, and so forth.

It was under this act that the President acted relative to the Ethiopian and Italian conflict to which the gentleman from New York referred.

So my insistence is that under the present act the President has the discretion to find the facts, and declare the same whenever the situation warrants such action. This is not a new theory. When this bill was under consideration in the Senate, Senator NYE, who opposed this character of bill and who was for a mandatory bill, made this statement, and you can find it in the RECORD. Senator NYE said in part:

I know that there are those who insist that our policy in its present form is entirely discretionary; that no neutrality can be invoked without the pleasure of the President himself. That is true, yet it is altogether necessary that the determination as to when a state of war exists be left to somebody. I do not know where else it can be left than with the President of the United States. That discretion is now with him. There can be no exercise of a policy of neutrality without his finding a state of war to exist, and so I do not know how we can escape from that degree of discretion. I am sure that it cannot be escaped.

So the view that I am presenting to you today was argued on the floor of the Senate at the time, and in view of the wording of this statute I say that the President has exercised the right that he has under the present statute.

Some of you would declare that a state of war exists, when no nation on earth, none of the 65 nations of the world have proclaimed that a state of war exists in China and Japan. China and Japan still have their ambassadors in each country. They have their ministers; they have their consuls general as their own representatives. So why should we, with our interests in the far eastern country, be forced

to say that a state of war exists in that country, and thereby destroy a great many of our rights?

You must remember that many people, in writing a neutrality bill, were only looking to Europe at that time. They forgot that we have special interests in China—extraterritorial rights, where our people are there, and where we have sent our marines to protect our interests.

Mr. WHITE of Ohio. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. I yield briefly.

Mr. WHITE of Ohio. The distinguished chairman of the Committee on Foreign Affairs is known for his common sense. According to your innate common sense, do you think that the mass murders now occurring in the far eastern crisis constitute a state of war or simply a game of ping-pong?

Mr. McREYNOLDS. That is not a question for me to answer nor for you to answer. It is a question that the President has, as director of the foreign policies of the country, as given to us under the Constitution and by Supreme Court decisions.

Permit me to quote an extract from the Supreme Court of the United States, delivered on December 21, 1936, in the case of The United States of America, appellant, against Curtiss-Wright Export Corporation, Curtiss Aeroplane & Motor Co., Inc., and Barr Shipping Corporation et al. I quote:

The President is the constitutional representative of the United States with regard to foreign nations. It is important to bear in mind that we are here dealing, not alone with an authority vested in the President by an exertion of legislative power, but with such an authority plus the very delicate, plenary, and exclusive power of the President as the sole organ of the Federal Government in the field of international relations—a power which does not require as a basis for its exercise an act of Congress, but which, of course, like every other governmental power, must be exercised in subordination to the applicable provisions of the Constitution. It is quite apparent that if, in the maintenance of our international relations, embarrassment—perhaps serious embarrassment—is to be avoided and success for our aims achieved, congressional legislation which is to be made effective through negotiation and inquiry within the international field must often accord to the President a degree of discretion and freedom from statutory restriction which would not be admissible were domestic affairs alone involved. * * *

The President has a perfect right to declare it or not just as he may see fit. Again, we must remember the extraterritorial rights we have in China today. Should the President issue a proclamation that a state of war existed in China, what would be the result? It would perhaps give Japan the right to embargo the whole coast, to order our vessels out of that country; our vessels would be subject to search and seizure; and our nationals would be left there subject to the danger of mob violence. So, Mr. Speaker, I insist that the State Department has followed a wise policy, and that the President has followed a wise policy in not finding that a state of war existed in that country.

Mr. KNUTSON and Mr. SIROVICH rose.

Mr. McREYNOLDS. I am sorry, but I cannot yield.

Mr. Speaker, it would be one thing for the President, in determining whether he should invoke the act, to accept some narrow legalistic view that might be urged upon him based on the circumstance that there are hostilities in progress in China; but it is quite another thing for him, in the light of his general duties and responsibilities in the domain of foreign affairs and in the conceived interests of this country and its nationals, and bearing in mind the obvious purpose of the act, to proceed with caution in order to avoid this country's being involved in the war and to prevent the complications that an application of the act would inevitably create.

When he thus fairly surveys the situation and discovers that there has been no declaration of war by either of the parties to the conflict—neither Japan nor China being willing to admit that a state of war really exists, and continuing to maintain diplomatic and consular relationships with each other; when he further discovers that no country has seen fit to treat the conflict as a state of war; and when he further discovers that there are conditions very clearly indicating sound reasons for not intervening, the President believes that

the course he has taken will meet the approval of the Congress and the American public.

The distinguished gentleman from New York a while ago said that this was an act of fascism. Let me tell you, my friends, that with countries in Europe and in the Far East spreading the dangerous doctrines of dictatorship throughout the world, if this country does not use every peaceful means to protect its political, social, and economic views, the time will come when we shall have to do it by war. These countries are gradually getting hold of and taking charge of matters, and they are spreading their doctrines, which, if continued, will break down the democracies of the world. They intend to do it first in Europe. Then the United States will stand alone. So, Mr. Speaker, I say that while I am against war, yet I want to see every peaceful means used for our protection and demand that the treaties of nations be kept; yet I ask: Are we going to run at the first blast of the gun? The most common cur will chase you if you flee. We know the American people are not afraid. If we pull our nationals out of China, as the gentleman would have us do, and declare that a state of war exists when other countries are not doing it, our Nation and our nationals will not be respected abroad; and we all know it. If, however, we stand up like men and demand our rights, these bully nations will cease their operations; and everybody knows it. Talk about fascism! If we isolate this country, we will encourage fascism, and when the democracies of Europe are broken down the United States will be left standing alone, and our children or children's children will see a war; and perhaps your sons will not be able to stand in a legislative body like this to protect the independence this country now enjoys.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield for one question?

Mr. McREYNOLDS. I yield to my friend from Minnesota to see what he wants to ask.

Mr. KNUTSON. Is it the gentleman's thought that if Japan triumphs in China that our children or children's children will be safer than if we step in and help a democracy by putting the embargo under the neutrality law into effect?

Mr. McREYNOLDS. I think it will aid Japan and aid the Fascist countries of Europe more by putting this law into effect now than by not putting it into effect. If the President had issued a proclamation stating that a state of war existed between China and Japan, would we have been in the position to accept the invitation to attend the conference now in session in Brussels which has for its purpose to hold Japan to her pledge in the nine power treaty which she signed in 1922 with eight other countries to preserve the territorial integrity of China? While on this subject let me refer briefly to certain newspaper statements that have been coming from Brussels relative to the present meeting of the foreign powers constituting the nine nations that signed what is known as the nine power treaty in September 1922.

All character of false reports have been carried in the press relative to the suggestions made by the American delegates, such as a suggestion that the nations furnish arms and ammunition to the Chinese, and other matters of this character. This is a misstatement of the facts and the delegates have no such authority. The authority can best be stated by the following statement which was issued by the President on October 19, 1937, when Mr. Davis and others were appointed. I quote from the President's statement:

Mr. Davis is going to Brussels to represent this country at a meeting of the signatories of the nine power Washington treaty, in response to an invitation issued by the Belgian Government. The purpose of the conference is in conformity with the original pledge made by the parties to the nine power treaty in 1922 to have full and frank exchange of views with regard to the Far Eastern situation.

In the language of the invitation to which this Government is responding, the powers will examine the situation in the Far East and study a peaceable means of hastening an end of the regrettable conflict which prevails there.

As I said in my radio broadcast on the evening of October 12, "The purpose of this conference will be to seek by agreement a solution of the present situation in China. In our efforts to find

that solution, it is our purpose to cooperate with the other signatories to this treaty, including China and Japan."

Mr. Davis, of course, will enter the conference without any commitments on the part of this Government to other governments.

Reference was made by the distinguished gentleman from New York, who has just preceded me, in rather a critical way of Secretary Hull and the Honorable Norman Davis. These gentlemen are so well known that they need no defense. But I do want to say that I have known them in office and out of office for many years, both of them coming from adjoining congressional districts to mine, and I am proud to call them my friends, and let me further add that so long as they are connected with the State Department, the President will be safe in following the advice of these two great Tennesseans.

Mr. Speaker, we ought to stand up like a nation and tell these countries that they must comply with their treaties, and we must use every peaceful means to see that they do it.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield further?

Mr. McREYNOLDS. I cannot yield further.

Mr. SIROVICH. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. I yield.

Mr. SIROVICH. I have listened to the very interesting exposition of the distinguished chairman of the Foreign Affairs Committee. Is it the gentleman's intention to call a meeting of the Foreign Affairs Committee in the near future for the purpose of amending the present Neutrality Act to provide for the purpose of preserving democracy that where a foreign nation invades the territory of a democracy without a declaration of war that such act should be declared an act of war?

Mr. McREYNOLDS. I have no such intention.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. McREYNOLDS. My time is nearly up; I am sorry, but I cannot yield.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 5 minutes.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, I yield to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Does not the gentleman believe the Foreign Affairs Committee of the House should bring in a resolution to repeal the existing neutrality law so that the President may be spared the just charge that he is guilty of non-feasance?

Mr. McREYNOLDS. I do not; because I think the criticism against the President is unjust and I have tried to demonstrate that fact.

Mr. THOMAS of New Jersey. Will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from New Jersey.

Mr. THOMAS of New Jersey. I understand from the gentleman's very fine talk that he is opposed to doing anything to aid Japan at the present time. Does the gentleman know the Maritime Commission, during the past few months, has sold ships to a shipping concern in Japan, one of those ships being the *Westward Ho*? I believe seven or eight ships in all have been sold by the Maritime Commission to this shipping concern in Japan, these ships to be scrapped over there and the scrap used in providing armament against China.

Mr. McREYNOLDS. We have been selling scrap iron to Japan for some time. There is a bill pending in the committee now to prevent that except by license and I am for the bill. I hope it will be reported by the committee and passed by the House. Let me follow this up.

Mr. WHITE of Ohio. Will the gentleman yield?

Mr. McREYNOLDS. I have not time to yield to pings any more.

Mr. Speaker, we speak about aiding Japan and aiding China. The gentleman who just preceded me said that the

present situation is a greater aid to Japan than it is to China. However, if the neutrality law had been invoked, and I mean the full effect of it, Japan could have come over here and purchased materials of war and China could not, because she would not have the transportation. Let me give the facts and furnish the information. Of course, it is easy to get up here on the floor and make a general statement. It is easy to get up here as a Republican and make various statements. It is easy to charge the Democrats with bad faith when there is no semblance of truth in the charge; however, you do not give it much credence, considering its source.

Let us see how much has been shipped to China and Japan. From July to November, inclusive, licenses have been issued for the shipment of arms, and so forth, to China in the amount of \$5,139,312.75. Let us see how much went to Japan, \$1,502,957.89. Does that seem to be favoring Japan under existing conditions?

In addition to licenses authorizing the exportation of implements of war to China, applications are pending in the amount of \$1,701,180, which licenses will probably be issued within a day or two. That was in November.

Who is it helping? I am not saying that we should help China, but I want to stick a dagger in these countries that are trying to create dictatorships and trying to ruin the world.

Now, Mr. Speaker, that is the situation. Are we helping China or Japan? Where would the President be in the Brussels Conference, wherein we are trying to make these nine nations that signed the treaty on February 6, 1922, in the city of Washington, maintain the integrity of China, had he declared that a war exists in that part of the world? We are there with the other nations of the world and using nothing but peaceful means to show that Japan was one of the signatories to this treaty and that it is violating the treaty just the same as some of the Fascist governments in Europe are doing all the time.

Mr. Speaker, let this Japanese situation and the Nazi and Fascist doctrines spread throughout the world until it breaks down the democracies of Europe, and the time will come when we will have to defend the democracy of the United States with our lives and with our children's lives. It is best to use every peaceful means in cooperation with the democracies of the world to see that peace is restored and that these armed conflicts stop and that these dictators stop their nefarious practices.

Mr. LUCAS. Will the gentleman yield?

Mr. McREYNOLDS. I yield to the gentleman from Illinois.

Mr. LUCAS. The gentleman gave to the House very interesting figures with reference to what has been shipped to China and Japan. Do I understand it is the gentleman's position that had the neutrality been in effect, as the distinguished gentleman from New York would like to see it, those shipments would probably have gone to Japan and none would have gone to China under the present neutrality law?

Mr. McREYNOLDS. No. They would not have gone to either place. The commodities of war would have gone to Japan.

Mr. LUCAS. But Japan could have come to this country and made purchases but China could not?

Mr. McREYNOLDS. That is right, because she had the transportation.

Let me say that there has not been an excessive amount of war materials shipped. One million dollars or two million dollars is a very small amount as compared to the whole. I noticed a statement which stated that China had spent some \$250,000,000 and Japan \$600,000,000. These shipments are a very small amount compared to what has been spent over there.

Mr. SIROVICH. Is that for ammunition only?

Mr. McREYNOLDS. Now, these people have paid cash.

Mr. Speaker, the President is trying to preserve peace. As the head of this Nation he knows more about these conditions than you or I because he has his foreign emissaries

and secret information that we do not possess. He has restricted American-controlled vessels from carrying anything to the country where this armed conflict is going on.

Therefore I say, Mr. Speaker, that the President and this administration should be thanked for the position they have taken. I know they want peace. I know they are trying to protect this country from war and to prevent war. I believe that instead of being condemned they should have the thanks of the American people. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SNELL. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. GIFFORD] may address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EATON. Mr. Speaker, I ask unanimous consent that on tomorrow I may address the House for 10 minutes.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that on tomorrow, at the conclusion of the address of the gentleman from Massachusetts and the disposition of the legislative program, if any, he may be permitted to address the House for 10 minutes. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may address the House for 5 minutes following the remarks of the gentleman from Massachusetts [Mr. GIFFORD].

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GIFFORD. Mr. Speaker, I should like to have it understood that I was requested to speak on yesterday. These remarks are not premeditated. Someone suggested to me that if anyone were entitled to state on the floor of the House, "I told you so", I could properly claim that privilege.

I want to review with you a little of last season's criticism. Early in the session I spoke on the matter of a \$7,000,000,000 government, permanently established. This prediction was not overdrawn; it was underdrawn. You cannot now hold the cost even to that amount.

I complained of the Treasury's method of bookkeeping and commented somewhat forcefully about the misleading method of claims made to the public concerning the recoverables. You must have lately read speeches of others completely exonerating me of overcoloring this picture.

Early in May I spoke on the subject of the political stock market. Heaven knows I did not overdraw that picture.

The topic of my address today, if you should desire a title, is what must necessarily go down in history as "The Roosevelt Panic of 1937." This expression is not original with me. I have borrowed it from eminent authority. Indeed, most of the thoughts I want to present to you today are not claimed as my own but taken from those who know.

I wish I could recall for the moment exactly whether or not I voted for the Securities and Exchange Act. I voted, with my fingers crossed, for so many things which may have been fundamentally right that I cannot remember. I am sure that I wanted to accomplish "truth in securities." I was willing to punish those who did not tell the truth about the securities they were offering to the public. However, in voting for that bill we voted for that dangerous experiment, another bureau, which was to frame rules and regulations having the full force of law.

I voted for something intended to protect the investors of the country, and if I voted for the bill, as I assume I did, I voted for something which is largely responsible for a cost to the investors of this country of an amount estimated at some \$27,000,000,000.

The effect of the crash in the stock market upon all business has been incalculable, owing largely, if not wholly, to the very machinery we set in motion after being told that if we would give the administration these vast powers it could

by them prevent such debacle. President Gay gave ample warnings. Wall Street was right. We were wrong. We have assumed to know more than the people who run the business of the country. We politicians are seemingly not competent even to legislate wisely after public hearings, such as have lately prevailed, when business does not testify fully under fear of reprisals.

Prejudice rather than reason has prevailed in the acts of this administration. You came into power through prejudice against a former administration. We may imitate you, rather than frame any particular principles, because we may have learned a lesson from what you did and reasonably expect to be swept into office in 1940 for the same reason. Certainly the people ought to be prejudiced against you by that time.

Mr. SIROVICH. Mr. Speaker, will my distinguished friend, the gentleman from Massachusetts, yield for a question?

Mr. GIFFORD. If I want more time, will the gentleman get it for me?

Mr. SIROVICH. I will try to get it for the gentleman, if I can.

Mr. GIFFORD. I will yield to the gentleman from New York.

Mr. SIROVICH. The gentleman has referred to President Roosevelt's present administration as "the Roosevelt panic."

Mr. GIFFORD. I have. It is correct.

Mr. SIROVICH. I remember very distinctly when from 1929 to 1933 President Hoover's administration brought about a collapse in the market, causing a shrinkage in the value of public-utilities stocks, bonds, and debentures alone from \$19,500,000,000 to about \$2,000,000,000, and this collapse continued until the present Democratic administration came into power.

Mr. GIFFORD. What is the gentleman's question?

Mr. SIROVICH. Is it the intention of the gentleman to show us the contrast between these two collapses?

Mr. GIFFORD. Yes.

Mr. SIROVICH. Very well; show it.

Mr. GIFFORD. If the gentleman does not believe me, I ask him to read the editorial in the last issue of the Saturday Evening Post. If he does so, even the gentleman will be convinced.

Mr. SIROVICH. By my question I am giving the gentleman an opportunity to convince me.

Mr. GIFFORD. I have indicated to the gentleman where he can go for absolute authority.

It is incontrovertible that we had an explosion in 1929; but we have had a landslide in the last 2 or 3 months. You have had available all the machinery by which you claimed you could stop such a landslide. You told us you could do it if we would give you those extraordinary powers. In 1929 the conditions were not at all similar to the present situation. During this landslide we had plenty of easy money. We so much wanted quality in securities that we forgot the absolute necessity of quantity of sales in order to prevent what is known as "a thin market." We forced the speculators out of the market. I wish heartily that there were a few real-estate speculators hanging around my vicinity to hold up that particular market. You froze out the speculators with a 55-percent margin requirement. Then you did not administer the cure until after the patient was dead. You now allow a 40-percent margin after it is all too late. Medicine is supposed to be administered at the time it is needed, not afterward. There can be no denial of this indictment. Refutation is impossible. Even alibis must necessarily be weak ones. Recital of other panics will not be persuasive. You have often claimed the Securities and Exchange Act to be the greatest of all your reforms. Time and time again you have reiterated that.

We have stated on this floor many times, even during the first 2 years after the Securities and Exchange Commission was set up, that you had so frightened business that it did not dare register new securities. Your Mr. Landis had to acknowledge to me in writing what a paucity had been registered representing new business. Registration was almost

wholly to retire indebtedness in order to take advantage of easier rates of interest. You almost killed new business for 2 years, and then, when it finally got going, you certainly completed the job. You thought that was your monument. Your ears must burn. However, it is a new era. "Formerly she blushed when she was ashamed; now she is ashamed if she blushes."

I think that your monument is a \$42,000,000,000 debt. I have predicted here for 3 years a debt of \$40,000,000,000, but the debt is now \$42,000,000,000.

Read the speech of the Senator from Virginia [Mr. BYRD], made not on the Senate floor, for then I could not refer to it, but lately delivered before the Academy of Political Science. I had made so many speeches on that topic previously that great was my delight to have someone in whom you must believe state the same thing. You have more than \$37,000,000,000 of direct debt and over \$5,000,000,000 of contingent debt, with recoverables of how much? The President told us last year that it was \$6,000,000,000. No; it is only \$4,000,000,000, not counting the inactive gold.

This is a horrid picture. You once called me the Jeremiah of New England. My prophecies were sufficiently pessimistic but fell short of the actualities.

What have you accomplished, even at this awful sacrifice of our wealth and credit? Yes; even the credit of my grandchildren, which you have no right whatever to use for the payment of your follies of experimentation. Yet you have gone merrily on, although there now appears to be a retracing of steps.

In the brief time I have left I want to know whether we can believe this President of ours. I think business is going to be somewhat in this position:

Customer: "Send me up 2 dozen eggs. If they are good, I will send you my check."

Grocer: "No; you send your check, and if your check is good I will send the eggs." [Laughter.]

I think, after all we have suffered and after all the protestations that have been made, the businessmen of the country will hesitate to accept overtures from their declared enemies.

I have something here that I read this morning which I will share with you, because I want to take the effect of the dagger from these remarks if I can, although I am very sincere in bringing these indictments. I reiterate, "I told you so," and it is quite impossible for you to refute these statements. Did you read Mr. Phillips' poem this morning in the Washington Post? He expressed what the country has been taught to believe about the businessman. Listen to this, because it will be more effective than any words of mine:

Never mind the vile employer—
Never give the guy a break;
Pick away until he's groggy,
For your dear, old country's sake.

Other folks may have some virtues,
But the businessman has none;
Flay him as a sort of cockroach—
It is lots of good, clean fun!

It is stylish to abuse him,
And to keep your punches low;
If he dares to make an answer
Point and sneer, "I told you so."

He alone can give employment,
And speed up prosperity,
But the fashion is to bar him
From the slightest sympathy.

Oh, the rattlesnake has good points,
And the white shark isn't bad.
Even polecats have their virtues,
As have buzzards, too, my lad.

But employers? Why, they've nothing;
They're the lowest of the low.
As must be apparent, dearies,
If you own a radio!

So an appeal is now being made to the businessman. Did you read a book recently, called "Our Loony Liberals"? I want to give you these figures and call your attention to this book from which they were taken—of course you may wish to disagree with the author's conclusions.

If there are 125,000,000 people in the country, there are 15,000,000 criminals, invalids, or helpless persons and 10,000,000 people are needed to take care of them, and this wipes out 25,000,000 from being of any particular value to the national economy. Add to this the tremendous cost of erecting institutions to care for them. Then the statement is made that, of the 100,000,000 people left, 95,000,000 are dependent upon the remaining 5,000,000 who alone have the initiative, the brains, the courage, and the capital to provide the means for us to earn our living.

I was amazed at these figures, but having considered the matter, I found many very fine citizens who, if out of a job tomorrow, would be wholly dependent upon these vile, economic royalists, to whom we now look for succor, but who have been made suckers by the acts of their own Government in Washington.

Mr. TAYLOR of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. GIFFORD. I yield.

Mr. TAYLOR of Tennessee. Apropos of what the gentleman brought out a moment ago; a few days ago, for the third or fourth time I read the story of Napoleon, by Thomas Watson, of Georgia. He points out in this book that during the time when Napoleon Bonaparte was Emperor of France he never issued any bonds or contracted any indebtedness, because he believed that every generation should be self-supporting and that one generation had no right to penalize posterity by passing on national debts.

Mr. GIFFORD. That is what I have also maintained to be right in these remarks. The gentleman also knows that nearly everything that this administration has tried has been done in a haphazard manner. They first claimed to have secured the brains of the colleges and were unwilling to rely on the brains and experience of practical men. They were bound to go hunting, and were like two men who did go hunting. After one had fired a shot, he called, "Are you all right, Jim?" And Jim replied, "Yes." "Well, then, I have shot a bear." [Laughter.]

It has been an era of vast experimentation. Some of us appreciate what Walter Lippmann recently stated:

Business cannot proceed because it is terrorized by the New Dealers. The New Dealers cannot proceed because, being only half-hearted collectivists, they do not dare to follow out the logic of their own ideas.

Mr. HOOK. Mr. Speaker, will the gentleman yield to me there?

Mr. GIFFORD. Yes.

Mr. HOOK. Is not the gentleman just in reverse, and is it not the gentleman and his crew that are scaring business?

Mr. GIFFORD. I should say not. The gentleman is just as blind as the others. [Laughter.] You cannot see, even after you have spent \$42,000,000,000 and jeopardized the Nation's credit. Your President has done much for many people, but he has so whetted their appetite that if he does not keep up his largesses they will devour him.

Mr. HOOK. Would not the gentleman be bitterly disappointed if there was not a panic?

Mr. GIFFORD. Oh, no. I am just as patriotic and just as sincere as the gentleman from Michigan, but the gentleman knows that I am much happier than he, who must share the responsibility and the condemnations. I at least have tried to prevent this profligate spending. Even Mr. Hoover cannot now be held responsible. I have drawn the picture many times here how up to November 1932 there was not this jittery condition of business. After the catastrophe of 1929 we recovered. The business index was quite high in 1932. The trouble came after the November election. It was during those 4 months when nobody knew what might happen under Democratic leadership. Picture it as you may, history will record the truth, will also record this recent collapse as "the Roosevelt panic of 1937." We gave him complete powers over credit and finances on the promise that it would not happen again. He must assume the responsibility—alibi it as you may. [Applause.]

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Mr. HOOK. We hope the gentleman will be disappointed and we know that he will be.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

LEAVE TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes at the conclusion of the remarks of the gentlewoman from Massachusetts [Mrs. ROGERS].

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a radio address delivered by myself.

The SPEAKER. Is there objection?

There was no objection.

Mr. McREYNOLDS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mrs. JENCKES of Indiana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

CONDITIONS IN THE BOOT AND SHOE INDUSTRY

The SPEAKER. The Chair recognizes the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, we have heard a good deal about neutrality this afternoon. I shall enlarge upon that later.

There are none so blind as those who will not see or those who do not care to see. This so-called Neutrality Act was an administration measure. The administration should have known that it was likely to get us into trouble if enacted into law. It is like an ostrich with its head beneath the sands. They did not want to see what is happening. Today nobody is fooled, not even a pacifist. Every Member of Congress wants peace. In dollars and cents, in a purely mercenary way, it is far less costly to stay out of war than it is to send our men to fight other people's battles in foreign lands. I opposed this Neutrality Act, Mr. Speaker, because I felt the condition in China would arise that has arisen. I believed that Japan would attack China, and I so stated in committee. It is very humiliating that we have upon our statute books a law that is treated as a mere scrap of paper. If you will cast your mind back over the conditions from 1914 to 1917, you will see a great similarity with what is happening today. You will see a great similarity with what this administration is doing to what the administration did in 1914 to 1917. Today we have with our reciprocal-trade agreements an industrial league of nations. The administration is apparently moving this country toward a league of nations in other ways.

There are none so blind as those who will not see. I accuse the administration of deliberately vilifying and harming business, business which creates work for the wage earners, with the result now that business cannot proceed. In my district those wage earners realize what is happening. They know that capital and labor go hand in hand and that if you destroy capital you can have no labor. It is a very bitter thing for the workers in my district. The administration should know you cannot create in the minds of the people the specter of business as a horrible ogre without tearing down confidence. And now the administration appeals to business to help by creating employment to save the administration from the continuance of the present depression. No other administration has ever so bitterly and persistently attacked business. Never in the history of this country has any administration so abused and trampled upon business.

Mr. Speaker, today I am introducing in the House a resolution asking that the negotiations regarding the reciprocal-trade agreement with Czechoslovakia be delayed, in fact, that those negotiations be stopped. In my district I believe

I have more commodities that will be affected by that treaty than have the Members from any other section of the country, but do you realize—and I am addressing myself now to the majority Members—that if boots and shoes are allowed to come in from Czechoslovakia that the leather industry will be vitally hurt, and the workers in my leather industry are in desperate straits? Do you gentlemen from Texas realize that the hides of your cattle will be affected disastrously? Do you realize, Members from the Southern States, that you are likely to lose your cotton market in the United States, and of what avail to you will be a small market in Czechoslovakia, if you lose a large market in our own country? You Members who have machinery plants in your districts, do you know what will happen if our mills close? If this trade agreement goes through, the same advantages given to Czechoslovakia will be given also to Japan and to every nation in the world but Germany and Australia. Every man, woman, and child in the United States knows that if they go into the shops to buy boots from Czechoslovakia they affect the boots that are made in my district, that are made in other districts in the United States; that if they buy gloves made in Czechoslovakia the gentlemen from New York State are affected in their districts; and if they buy boots and shoes made in Czechoslovakia, you gentlemen from the Middle West must know what it will do to your shoe industry, and you in the West what it will do to your tanneries. I see one gentleman on the Democratic side who is going to speak on that subject later. You know if they go into a shop and buy hats made in Czechoslovakia or in Italy it will affect the hat industry all over our country.

I earnestly implore that the Members of the House will join with me in procuring the passage of the resolution which I shall introduce. There are none so blind as those who will not see. They should have seen that with these treaties we are bound to get more imports than exports. You have only to look at the export and import figures to see what is happening. [Applause.]

The SPEAKER. The time of the gentlewoman from Massachusetts has expired. The Chair recognizes the gentleman from Pennsylvania [Mr. RICH] for 10 minutes.

THE FISCAL SITUATION

Mr. RICH. Mr. Speaker, on October 12 the President of the United States issued a proclamation calling this House together on November 15. A month and 3 days elapsed from the time of the call until we convened on last Monday. Naturally, I expected when we came to this special session of Congress, which was called for the express purpose of considering the four points mentioned in the President's message, that everything would be cocked and primed and ready to go into action. I have been terribly disappointed. It seems to me that if a corporation or any business enterprise had given 30 days' notice to its representatives in every State of the Union that they were to assemble at a particular point at a stated time, that corporation would have had a method of procedure outlined for orderly business; that they would have conducted their business beginning the moment the gavel sounded; that they would have brought up the particular points they intended to discuss. They would be prepared for definite action. That would have been an orderly business do-something procedure for a definite accomplishment. But what do we find when we come here to this House of Representatives, called together by the President of the United States? Three hundred and seventy-six Members answered the call on Monday from every State in the Union. We have not been permitted to say one word or do one thing up until today at this hour. I think the Democratic administration, who are responsible, should be censured for this unbusinesslike manner of procedure. They have blocked free speech in the House of Representatives for 2 days. If we continue on, I will say for 1 year more, in the way we are going, I question very much if you will have free press.

I question very much whether you are going to have the form of government which our forefathers established. I

want to say to you, with all the seriousness I possess, I did not take this time for the purpose of trying to criticize. I have taken this time to plead with you Members of Congress on the Democratic side, who are in the majority in this House and are responsible for action, and to tell you the serious condition in which we find this Nation at the present time.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. RICH. I cannot yield at this time. I am sorry.

If ever in your lives you have used your own best thought and judgment for the welfare of this country, you should use it now, before it is too late. You should not permit any legislation to be brought in here by one or two men and then adopt it, regardless who they may be, unless you in your own minds feel that that is the proper legislation to put into effect—legislation that is for the best interests of all the American people. I appeal to you on that one point solely at this time. If you think the legislation that is going to be prepared for you is the kind of legislation you ought to support, you vote for it and you assume the responsibility; but if you do not think it is the kind of legislation that ought to be enacted into law, then, in the name of our country, do not support it; do not be a rubber stamp. That is the principal point I want to bring to you now. Think, think, think, and again think, then act.

I am going to call your attention to one paragraph in the President's message:

A proposed Federal Budget for the coming fiscal year also will shortly be ready for submission, a Budget which I expect can be brought within a definite balance.

Now, the President of the United States has made more promises than any man I have ever known on a balanced Budget. He has done just the opposite to what he said he would do. No less than three times during the past year he promised the American people a balanced Budget. The President never did balance any budget. He cannot balance the Federal Budget. He just does not know how. And, notwithstanding all his promises, he will never balance the Federal Budget, this year, next year, nor any year. Secretary Morgenthau, in his speech recently, said that if we reduced the expenditures of our Government \$700,000,000, we will have a balanced Budget. I think the Secretary of the Treasury is also badly in error, because I am going to use his statement as I have it here, issued on November 10 by the Treasury Department, and I want to show you that up to November 10, in the year beginning on July 1, we have gone into the red \$670,550,210.33, almost the amount of the deficit, in 4½ months, that the President says we would have at the end of the year. I tell you Members of Congress you are going to be a billion and a half or two billion dollars in the red by the end of this fiscal year; that is, the year ending June 30 next. I will tell you why. Your expenditures will be more than your income by that amount. You must cut expenses by more than a billion dollars, and it can easily be accomplished. That is the way to do it. Since the last session of Congress I have talked to many manufacturers in this country employing from 50 to 2,000 men. In all my travels I have never heard so many men in business, men who are responsible heads of business, make this statement: "I want to close up my business and get out. There is no future ahead in business for me. I am sick and tired of all the reports I have to make. I am sick and tired of all the taxes that I have to pay, and of all the regulations. I cannot make any money. I am hounded by labor unions. I am going to get out of business before I go into bankruptcy and lose all I have."

I want to say to you again with all the seriousness that I possess, when the businessmen of this country are ready to quit, when the 5 percent of the people who give employment to the other 95 percent want to stop business, you are in a sad and sorrowful plight in this country.

Do not think I am making that statement to try to criticize someone. God forbid. It is too serious today to stand up here and try to make some fellow feel sorry that he may be a Democrat or some fellow feel sorry that he may be called a Republican. This Treasury statement of November

10 shows that we are in debt now \$37,029,252,100.70; think of it, over thirty-seven billion dollars.

WHERE ARE YOU GOING TO GET THE MONEY?

Let me call your attention to this fact, our income this year increased over \$625,000,000, yet we still went in the red over \$670,000,000, just because we flittered it away here in Congress and the President signed the bills. If he wanted to cut down expenses why did he not veto some of these bills if he meant what he said, that he would balance the Budget this year? His actions did not support his promises. Since Mr. Roosevelt has assumed office we have put this country in debt over \$16,925,000,000. That is over \$8,810,000 per day, over \$6,130 per minute of the day from the time Mr. Roosevelt became President to the present moment. When you sleep, when you eat, when you play, and when you work—in the red over \$6,130 every minute. This must be paid back by future generations; they must sacrifice for Mr. Roosevelt's folly of priming the pump. Folly of untried, untrained, unstable men to run the greatest Government and business in the world. It is a blight on our history.

The situation which confronts us today means that if one has any incentive or any desire to try he does not yield to it, because he sees no way out of the morass. There exists at the present time the greatest buyers' strike that I have known in my 35 years of business experience. The business of the country is almost stagnant at the present moment. One of two things must be done. You must realize that if the capitalistic system which has made this country in 150 years the greatest Nation on the face of the earth, has been of any consequence and is of any good today, the manufacturer and the businessman must be given an opportunity to do something. If he makes too much money we have the easiest way under the heavens to take it away from him—by the income tax and the inheritance tax. We do not need to be afraid of anybody running away with this country; all we need do is to apply these two brakes. We ought to hesitate before we put the screws on a man in business to the point where he would rather close his business than go into bankruptcy. When opportunity is gone you crush initiative, you kill the goose that lays the golden eggs. Mr. Speaker, I hope this session Members of Congress will think and not be rubber stamps. [Applause.]

[Here the gavel fell.]

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

WAGE AND HOUR LEGISLATION

Mrs. NORTON. Mr. Speaker, I want to call attention to a petition on the Speaker's desk to discharge the Committee on Rules from further consideration of the bill S. 2475, the so-called wage and hour bill, and ask all Members interested in this legislation to sign this petition as quickly as possible, so that we may be able to get the bill before the House by December 13, which would be the first date possible to bring it up under the operation of the discharge rule.

Mr. RANDOLPH. Mr. Speaker, will the gentlewoman yield?

Mrs. NORTON. I yield.

Mr. RANDOLPH. Is it not a fact that the Committee on Labor, of which the distinguished gentlewoman is chairman, by an almost unanimous vote decided on that procedure?

Mrs. NORTON. Yes; that is true.

[Here the gavel fell.]

Mr. THOMPSON of Illinois. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

THE LATE HONORABLE WILLIAM J. GRAHAM, FORMER MEMBER OF HOUSE OF REPRESENTATIVES

Mr. THOMPSON of Illinois. Mr. Speaker, a week ago today, November 10, a very distinguished former Member of

the House of Representatives, the Honorable William J. Graham, passed away here in Washington.

Judge Graham was a native of Pennsylvania. He moved to Illinois and there began the practice of law with very much distinction. He served his county as State's attorney and served in the Illinois General Assembly. In 1916 he was elected to the Sixty-fifth Congress and ably represented the important district which I now have the honor to represent. He served in Congress for four terms. In 1924 President Coolidge saw fit to appoint him presiding justice of the United States Court of Customs and Patent Appeals, in which position he served until his death.

Judge Graham was buried in his adopted city of Aledo, Ill., on last Friday, November 12. He was a man of great distinction, had a host of friends, and ably served his constituency and his Nation during his public career.

Mr. WHITE of Ohio. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ISSUES BEFORE THE EXTRAORDINARY SESSION OF CONGRESS

Mr. WHITE of Ohio. Mr. Speaker, will the emergency session act on an emergency program?

To date the calling of a special session of Congress has been a silly performance.

Despite the regular session which must open on January 3, it was claimed there had to be an emergency session to deal with emergency legislation.

The need for this course was emphasized. Yes, sir; the whole matter was too important to permit delay. The session had to start on November 15—it could not even wait until December 1 or November 20. And yet that legislative program which was said to be so vital has not even been presented and there has been nothing but plain stalling since the moment the special session convened.

The gong had hardly died out before the leaders responsible for the schedule were suggesting adjournment for several days. It has been a ridiculous spectacle. More so when you stop to consider the program to which they contend the special session should be confined. The announced five points are:

Reorganization bill.

Seven regional planning boards for T. V. A.

Uncertain farm legislation.

Wages and hours.

National housing.

Would you call that an emergency program?

It is time for some plain speaking. What is the emergency problem that is confronting the country right now? Is it not the renewal and growth of unemployment and the severe decline in business activity? The emergency session ought first of all to deal with the emergency.

THE FRUITS OF ECONOMIC FALLACY

Sixty days ago business enterprise took a tail spin. Retail sales slowed down. Orders were canceled right and left. The prices of commodities, stocks, and bonds plunged sadly downward. Jobs have been lost by the thousands. The only thing that has been going up since August has been the army of unemployed men and women—and, of course, the public debt—but there is nothing new about that.

Worst of all, the business slump comes at a time when the resources of working men and women are worn thin; likewise the private and public resources of the country as a whole—all thinner because of the depression, the taxation burden, and increased costs of living.

During these last 60 days the chickens of economic fallacy have been coming home to roost.

Those people who sang "We planned it that way" a few short months ago, when we rode the tide of world-wide recovery and Government spending, now want to sing a different tune.

This time the severe slump is not world-wide. It is the waif on the doorstep of our own Government administration. It is peculiar to the United States alone. That is significant.

Could it be that the individual administration schemes have produced the individually domestic results which everyone in the United States can now see—and feel till it hurts?

Business and jobs or jobs and business—they are the same thing. Why should business and jobs in the United States be suffering the present blow when the same thing is not happening in other countries?

There are many fundamental reasons. Anyone needs only a single good eye and a grain of common sense to see some of them.

Successive deficits of the Government have been a growing disease that has spread doubt and confusion and has steadily eaten into economic healthfulness.

Taxation is consuming too much of the purchasing power of the Nation—and the worst is yet to come!

The present devices of Government revenues from undistributed profits and capital gains constitute a foolhardy tax on jobs and employment. This assertion is illustrated by one of many firms I know about. They have abandoned a million-dollar plan of replacement and expansion because they would have to pay the Government \$380,000 by way of taxes for the privilege of spending the million.

The markets of American farmers and factories are being handed over to foreign producers under the trade-treaty policy which has boomed imports and blasted exports. For the first time in 43 years we now have an unfavorable trade balance for successive months.

Government interference with honest business enterprise has chained the little businessman to the same whipping post as the big fellow who has means of legal combat, financing, and distribution that are not within reach of the little fellow.

The buy-and-bury policy on gold has given other nations the privilege of making the profit and the United States the privilege of conducting the funeral.

Genuine recovery certainly has not been helped by abandonment on the part of the Government of its proper role as an impartial referee in labor disputes, or its favoritism to one labor organization against another.

ABUSE OF SOCIAL SECURITY

Everyone had a right to expect that social-security revenues would be safeguarded for social-security benefits. Like a father breaking into the bank of his own child in order that he could spend the money by substituting a promise to pay, the powers that be have been using social-security funds as fast as they come in for the general operating expenses of government—building battleships, paying inspectors, erecting dams—anything and everything except social security.

Of course, the Government promises to replace the cash, but it is not reducing the debt, and that means both wage earners and employers are confronted with the necessity of paying the bill twice.

It also means that the Government cannot borrow money later on to meet the benefit requirements, running into billions, unless its financial house is kept in good order.

Therefore every wage earner in America has a direct stake which he has not had before in maintaining a sound financial condition.

More than 34,000,000 wage earners are now paying income taxes on their wages, and their payments are duplicated by employers. To preserve their investment and guarantee successful operation of the social-security law without imposing intolerable burdens and dangers, it should be placed on a pay-as-you-go basis. On this basis the tax can be kept at its present rate of 2 percent for several years to come. Otherwise it will be tripled by 1949.

MAINLY REFORM LEGISLATION

Of the five items listed in the program for the emergency session, only one is what might be truthfully called an emergency measure, and that is farm legislation. National housing might also be added, depending upon the program.

If we are to act on the same reorganization bill previously under discussion, we know it was a device to extend one-man control by:

(a) Taking the power to halt illegal expenditures out of the hands of the Comptroller General and substitute in his

place a glorified bookkeeper who would merely make an audit after the money was spent.

(b) Gain indirect control of the merit system by doing away with the Civil Service Commission and substituting an appointive administrator and a civilian advisory board.

The creation of seven new regional T. V. A. boards means an extension of bureaucracy and anything else but reduced expenditures.

We all remember that the wage and hour proposal was changed almost daily in the closing days of the last session of Congress. It would take more than a prophet to guess the form and provisions of any wage and hour proposal that may—or maybe not—come before us this session. All we can judge by at present is the old proposal, and that would shove responsible labor unions out of business, and, in my humble opinion, would at this moment muddy the waters still further by adding to the intensity and force of unemployment and business decline.

I fear the plan as now designed would not only throw more people out of work but also give unconstitutional legislative authority to a five-man board, place efforts of legitimate organized labor in a strait jacket, enable the board to play the game of discrimination that has already been in evidence, hit the farmer unfairly under existing circumstances, put the "squeeze play" on the little fellow again, and level down wages for people who are worth more than the minimum.

We have changed the oars and the anchor, but let us not attempt to put a new bottom in the boat until we get closer to the shore of genuine recovery.

When it comes to the new farm legislation it seems to be a case of "name it and you can have it." We are told that about six bills are floating through the vacant places around the Department of Agriculture. We know that the House committee is working on one proposal and the Senate committee is flirting with another. None is yet ready for action and the whole procedure is about as uncertain as a suspender button on a pair of cast-off pants. For one, I do not see how I can justify voting for compulsory control of American farmers.

Farming is the backbone of America. What sense is there to shackling the farmer in the production of crops when at one and the same time the Government is letting the bars down to a flood of farm products and also tossing millions right and left on new irrigation and reclamation projects in the United States to bring new lands into production.

If we are going to make trade treaties, let us at least get some trade advantages out of them for American products, especially from the dead-beat nations whose war debts are being paid by American taxpayers.

The American farmer and wage earner deserve something better than being placed in direct competition with the lowest living standards in the world.

A REAL EMERGENCY PROGRAM

Expressed in the affirmative, the real emergency program at this time, when recovery should supersede questionable reform, includes:

Cut expenditures.

Balance the Budget.

Modify the undistributed-profits and capital-gains taxes on small businesses, on purchases, on plant construction and replacements, and on bona fide debt payment.

Correct the abuses against the Social Security Act.

Restore the American markets to the products of American farms and factories.

Halt punitive expeditions against legitimate business enterprise.

Define a monetary policy that leaves no room for doubt and uncertainty.

Guarantee law and order in labor disputes and play no favorites.

PERMISSION TO ADDRESS THE HOUSE

Mr. MEAD. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Speaker, I have listened to the speech just delivered by my distinguished colleague from New York [Mr. FISH], and because we are at the outset of the special session of Congress and in great need of a legislative program which will give us reasonable permanent economic balance, I am voicing the wish that our efforts might be concerted and rise above allegiance to political affiliations, so that we might be able to attain the heights of statesmanship, forswearing partisan advantage, and contribute a permanent, constructive recommendation that would result in good, sound, public policy.

My distinguished friend from New York told us that the prosperity that existed in the United States prior to 1929, and which ultimately led to widespread speculation, which is another word for gambling, caused the depression of that era. He followed that with the contradictory statement that the President of the United States is now responsible for the depression which he claims is on us at this moment because of the restrictions of this administration on speculation or gambling. In my judgment, we will accomplish little or nothing if we become so intently interested in the speculative or gambling phases of our national economy. We must be more interested in good, sound, economic policy.

I ask you to go back to the record following the debacle of 1929. There you will find, among other such speeches, perhaps, an utterance by my friend the gentleman from New York informing us that the depression of that time resulted from the dislocations growing out of the World War. I hear that statement made so often on that side of the aisle that I assume even the gentleman from New York may have made it at that time.

If the depression really resulted from dislocations growing out of the World War and from tariff and trade barriers, it could not have resulted entirely from speculation. Of course, it is possible, if a complete statement were made, to say that they all contributed to the depression that came on us in 1929.

My distinguished colleague quotes Irving Fisher as an authority on the cause of the depression following the crash of 1929. I just went out into the lobby and found a Republican witness, namely, Colonel Ayres, of Cleveland, often quoted by Members on both sides of the aisle. He says, evidently with reckless abandon, provided he had information as to what my distinguished friend from New York was going to say, that there is no depression now, that it is just another trembling or another evidence of that dislocation, world-wide in character, which resulted from the World War, and that until trade barriers are lifted, until the destructive tariffs are no longer retarding trade, and until business has an opportunity to make the natural progress as it has been doing, we will at times have these little tremblings, but they need not put fear into the hearts of any of us. Colonel Ayres denies the presence of a depression now. No one could deny the one that devastated the country in Mr. Hoover's administration.

The Republican Party in 1929 encouraged widespread speculation or gambling in America; every time the stock market trembled, some Cabinet officer, even the Secretary of the Treasury, or some other outstanding Republican leader gave assurance to our citizens that everything was all right, that business was sound, and by that character of leadership led many of our people to pay idolatrous tribute to the false god of gold. Even those who pointed to stock quotations in those days as the barometer of prosperity have learned a lesson. If unregulated and unbridled speculation almost ruined the country then, would you remove the regulations which have been approved by the American people now? Do you want another wild orgy of gambling and speculation to take place again?

[Here the gavel fell.]

Mr. MEAD. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MEAD. Mr. Speaker, now, may I ask just a few simple questions?

Would your party repeal the regulations and control we have over stock exchanges and the sale of securities? Do they remember, or have they forgotten, the questionable and the fraudulent bonds and securities sold throughout America which caused Americans to lose billions of dollars? Have they forgotten the story of the holding companies, a history both shameful and vicious, which was attached to the development of that industry in America? Do they remember the operations of the unmanaged, unregulated investment trusts that carried many of our people to financial destruction? Would you repeal these restrictive laws? Would you repeal the law that guarantees the bank deposits of our people?

Would you men who at the beginning of our special session lament the losses incident to speculation, and in that manner indirectly subscribe to a theory that these regulations are unjust; I ask, would you repeal these laws; and if so, name the laws you would repeal? For my part the present policy of the Government, perfected in the light of experience, is helpful to the investor, the banker, and the broker. We will fail in our efforts to improve economic conditions if we insist that a depression is now upon us.

Let me say that when this year is done the farmers of America will enjoy an income far in excess of the income they enjoyed in 1932, 1933, 1934, or 1935, and \$900,000,000 in excess of their income of a year ago. Labor is enjoying the highest wage scale in its history, giving to them the buying power so sorely needed.

May I point out that as long as we have power machines that can produce more than we consume, as long as our productive capacity exceeds our present capacity to consume, we are not going to have proper economic balance. This administration in passing restrictive legislation prevented further financial losses. It hedged in our prosperity. Now with a stabilizing farm program and an hour and wage bill that will buoy up our purchasing power, it is attacking with courage the pressing economic problems of the country, an attack characterized by both intelligence and experience. In matters purely economic we deserve your cooperation rather than your condemnation.

Mr. Speaker, I ask my distinguished colleague from New York not only to tell us what legislation he would repeal but let him also tell us what legislative program he would substitute? We will attain the social and economic objectives of this administration with his cooperation, I trust, but we will regardless of his attitude, because we are right. [Applause.]

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Tuesday next after the disposition of business on the Speaker's table and at the conclusion of the legislative program in order for the day, I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, we have had a field day, so far as speeches are concerned, and we will go on tomorrow with several special orders. I believe we shall be able to conclude all of the speeches that are ready on tomorrow; therefore I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. CHURCH. Mr. Speaker, I object.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. RANKIN, for 2 days, on account of business.

To Mr. BEVERLY M. VINCENT, for the balance of the week, on account of official business.

ADJOURNMENT

Mr. RAYBURN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Thursday, November 18, 1937, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

842. A letter from the Chairman, United States Maritime Commission, transmitting a report of the United States Maritime Commission, recommending legislation, and the results of the Commission's study pursuant to section 212 (b) (2) on transoceanic aircraft service; to the Committee on Merchant Marine and Fisheries.

843. A letter from the Secretary of the Interior, transmitting Annual Report of the National Bituminous Coal Commission for the year ending June 30, 1937 (H. Doc. No. 396); to the Committee on Ways and Means and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 8402) to amend section 111 of the Judicial Code to provide a term of court at Newport News, Va.; to the Committee on the Judiciary.

By Mr. KING: A bill (H. R. 8403) to ratify and confirm Act 23 of the Session Laws of Hawaii, 1937, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935; to the Committee on the Territories.

Also, a bill (H. R. 8404) to authorize the Territory of Hawaii to convey the present Maalaea airport on the island of Maui, Territory of Hawaii, to the Hawaiian Commercial & Sugar Co., Ltd., in part payment for 300.71 acres of land at Pulehu-Nui, island of Maui, Territory of Hawaii, to be used as a site for a new airport; to the Committee on the Territories.

Also, a bill (H. R. 8405) to provide for a plebiscite on the question of statehood in the Territory of Hawaii; to the Committee on the Territories.

By Mr. PHILLIPS: A bill (H. R. 8406) to provide for the establishment of fair labor standards in employments in and affecting interstate or foreign commerce, and for other purposes; to the Committee on Labor.

By Mr. BURCH: A bill (H. R. 8407) to amend the China Trade Act, 1922, as to the duration of the China Trade Act corporations; to the Committee on the Judiciary.

By Mr. GREEN: A bill (H. R. 8408) to extend the time for filing claims for refund of amounts paid as tax under the Agricultural Adjustment Act; to the Committee on Ways and Means.

By Mr. LEMKE: A bill (H. R. 8409) authorizing the State Highway Departments of North Dakota and Minnesota and the Boards of County Commissioners of Traill County, N. Dak., and Norman County, Minn., to construct, maintain, and operate a free highway bridge across the Red River of the North between Caledonia, N. Dak., and Shelly, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. SAUTHOFF: Resolution (H. Res. 351) requesting the President to enforce the Neutrality Act; to the Committee on Foreign Affairs.

By Mr. CHAPMAN: Resolution (H. Res. 352) requesting the Secretary of Agriculture for information regarding deaths occurring as a result of interstate distribution of elixir sulfanilamide; to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON of Missouri: Resolution (H. Res. 353) to increase the compensation of A. E. Chaffee, reading clerk; to the Committee on Accounts.

By Mr. LEWIS of Maryland: Joint resolution (H. J. Res. 501) to dedicate the Library of Congress as the Jefferson Memorial Library; to the Committee on the Library.

By Mr. EICHER: Joint resolution (H. J. Res. 502) proposing an amendment to the Constitution of the United States for a referendum on war; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 8410) for the relief of the Eastern Shore of Virginia Produce Exchange, Inc.; to the Committee on Claims.

By Mr. DICKSTEIN: A bill (H. R. 8411) for the relief of Arthur Weiss; to the Committee on Military Affairs.

By Mr. GAMBRILL of Maryland: A bill (H. R. 8412) for the relief of Herman F. Krafft; to the Committee on Naval Affairs.

By Mr. GIFFORD: A bill (H. R. 8413) for the relief of John W. Reardon; to the Committee on Naval Affairs.

By Mr. KEE: A bill (H. R. 8414) granting a pension to Paul Passanise; to the Committee on Pensions.

By Mr. LANZETTA: A bill (H. R. 8415) for the relief of Michele Bove; to the Committee on Immigration and Naturalization.

By Mr. LAMNECK: A bill (H. R. 8416) for the relief of William G. O'Harra; to the Committee on Claims.

Also, a bill (H. R. 8417) for the relief of John B. Dollison; to the Committee on Claims.

By Mr. O'TOOLE: A bill (H. R. 8418) for the relief of Itzhock or Isidore Finkelstein and Rochel or Rachela Finkelstein; to the Committee on Immigration and Naturalization.

Also, a bill (H. R. 8419) for the relief of Yankiel Owsianka, alias Jack Singer; to the Committee on Immigration and Naturalization.

By Mr. SHANLEY: A bill (H. R. 8420) authorizing the President of the United States to appoint Corp. Bernard Early as a major in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. SMITH of Washington: A bill (H. R. 8421) for the relief of Sam Rancic; to the Committee on Claims.

Also, a bill (H. R. 8422) extending the provisions of an act entitled "An act to amend the act entitled 'An act for the retirement of employees in the classified civil service, and for other purposes,' approved May 22, 1920, and acts in amendment thereof," to W. P. Campbell; to the Committee on the Civil Service.

By Mr. SUMNERS of Texas: A bill (H. R. 8423) for the relief of Frank W. Lohn; to the Committee on Claims.

By Mr. SUTPHIN: A bill (H. R. 8424) for the relief of John F. and Ethel M. Dailey, of Everett, N. J.; to the Committee on Claims.

By Mr. SWOPE: A bill (H. R. 8425) granting an increase of pension to Annie G. Hoover; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3342. By Mr. SWOPE: Petition of Mrs. Georgia V. Jones and 18 other citizens of Dauphin County, Pa., favoring the enactment of an old-age pension bill as embodied in House bill 2257; to the Committee on Ways and Means.

3343. By Mr. CURLEY: Petition of the American Hotel Association, favoring the modification, repeal, or amendment of the undistributed-profits tax and the capital-gains tax; to the Committee on Ways and Means.

3344. By Mr. RICH: Petition of the Valley Grange, No. 876, of Tioga County, Pa., opposing the Black-Connery labor bill; to the Committee on Labor.

3345. Also, petition of the Mitchell Mills Grange, of Tioga County, Pa., opposing the Black-Connery labor bill; to the Committee on Labor.

3346. By Mr. SADOWSKI: Petition of the American Federation of Labor, endorsing the Civil Service Commission; to the Committee on the Civil Service.

3347. By Mr. PFEIFER: Petition of the American Hotel Association of the United States and Canada, New York City, concerning the undistributed-profits tax and the Black-Connery bills; to the Committee on Labor.

3348. By Mr. CURLEY: Petition of the New York Board of Trade, New York City, N. Y., opposing any farm legislation aimed to curtail domestic production; to the Committee on Agriculture.

3349. By Mr. SPENCE: Petition of the Kentucky Live Stock Improvement Association, requesting that livestock be included in the 1937 farm conservation program; to the Committee on Agriculture.

3350. By Mr. PFEIFER: Petition of the New York Board of Trade, Inc., New York City, concerning farm legislation; to the Committee on Agriculture.

3351. By Mr. CURLEY: Petition of the New York Board of Trade, New York City, N. Y., favoring the repeal of the undistributed-profits tax and urging action in that respect at the special session of Congress; to the Committee on Ways and Means.

3352. By Mr. SPENCE: Petition of railroad employees of Kenton County, Ky., protesting against the expenditure of Federal funds for the improvement of waterways; to the Committee on Rivers and Harbors.

3353. By the SPEAKER: Petition of the American Hotel Association, New York, N. Y., concerning undistributed-profits tax and Black-Connery bill; to the Committee on Ways and Means.

3354. Also petition of the Hospital Employees' Union of Greater New York, concerning the wages-and-hours bill as proposed by the President; to the Committee on Labor.

3355. By Mr. DORSEY: Petition of citizens of the county of Philadelphia, Pa., urging the enactment of the old-age pension bill as embodied in House bill 2257; to the Committee on Ways and Means.

3356. By the SPEAKER: Petition of the American Federation of Labor, favoring the continuation of the Civil Service Commission as a bipartisan body; to the Committee on the Civil Service.

3357. By Mr. PFEIFER: Petition of the New York Board of Trade, Inc., New York City, concerning the repeal of the undistributed profits tax; to the Committee on Ways and Means.

3358. By Mr. SADOWSKI: Petition of the International Brotherhood of Electrical Workers, Local Union No. 58, Detroit, Mich., favoring Government-owned and controlled hospitals; to the Committee on Ways and Means.

3359. By Mr. PFEIFER: Petition of the Interstate Airways Committee, Washington, D. C., concerning the McCarran-Lea air-transport bill; to the Committee on the District of Columbia.

3360. Also, petition of the New York Mercantile Exchange, New York City, concerning amendment to section 601, Revenue Act of 1932 (H. R. 3144); to the Committee on Ways and Means.

3361. Also, petition of the American Federation of Labor, Washington, D. C., favoring the preservation of the present form of administration of the Federal workmen's compensation laws by maintaining the Commission as an independent body; to the Committee on Labor.

3362. By Mr. HILDEBRANDT: Resolution relative to land purchased by the Board of Education, Vivian School District No. 21, Vivian, S. Dak.; to the Committee on the Public Lands.

3363. By Mr. SADOWSKI: Petition of the American Federation of Labor, reaffirming its approval of the United States Employees' Compensation Commission; to the Committee on the Civil Service.

3364. By Mr. ASHBROOK: Resolution of the Royal Arcanum, protesting against the proposed 2-percent tax on premiums collected by fraternal societies; to the Committee on Ways and Means.

SENATE

THURSDAY, NOVEMBER 18, 1937

(Legislative day of Tuesday, November 16, 1937)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

FREDERICK STEIWER, a Senator from the State of Oregon, appeared in his seat today.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, November 17, 1937, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. MINTON. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Connally	King	Pepper
Andrews	Copeland	La Follette	Pittman
Ashurst	Davis	Lee	Pope
Austin	Dieterich	Lewis	Radcliffe
Bailey	Donahey	Lodge	Russell
Bankhead	Duffy	Logan	Schwartz
Barkley	Ellender	Loneragan	Schwellenbach
Berry	Frazier	Lundeen	Sheppard
Bilbo	George	McAdoo	Shipstead
Bone	Gibson	McCarran	Smith
Borah	Gillette	McGill	Steiwer
Bridges	Glass	McKellar	Thomas, Okla.
Brown, N. H.	Graves	McNary	Thomas, Utah
Bulkley	Green	Maloney	Townsend
Bulow	Guffey	Miller	Truman
Burke	Hale	Minton	Tydings
Byrd	Harrison	Murray	Vandenberg
Byrnes	Hatch	Neely	Van Nuys
Capper	Hayden	Norris	Wagner
Caraway	Herring	Nye	White
Chavez	Hitchcock	O'Mahoney	
Clark	Johnson, Colo.	Overton	

Mr. MINTON. I announce that the Senator from West Virginia [Mr. HOLT], the Senator from Delaware [Mr. HUGHES], and the Senator from North Carolina [Mr. REYNOLDS] are absent because of illness.

The junior Senator from New Jersey [Mr. SMATHERS] is absent because of illness in his family.

The Senator from Michigan [Mr. BROWN], the senior Senator from New Jersey [Mr. MOORE], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present.

TRANSACTION OF ROUTINE BUSINESS

The VICE PRESIDENT. When the Senate adjourned last evening the Senator from North Carolina [Mr. BAILEY] had the floor and gave notice that he desired to continue his remarks this morning. The Chair, therefore, recognizes the Senator from North Carolina.

Several Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from North Carolina yield; and if so, to whom?

Mr. BAILEY. Mr. President, I will be perfectly willing to yield to the convenience of Senators or the Senate, but I do not wish to yield if by yielding I will lose my right to the floor.

The VICE PRESIDENT. The Senator from North Carolina, if he yields to various Senators for the purpose of transacting routine business, will not lose the floor while the present occupant of the chair is presiding.

Mr. BAILEY. I yield.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Seventy-fourth Annual Convention of the